
 Attorney Docket No. 10/728 P 041

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 PATENT \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


 JUL 9 9 2004

In re: Application of:  
 Paul Kudrna, Brian Schwartz, Mark Schwartz  
 Application No.: 10/728,741  
 Confirmation No.: 1700  
 Filed On:: December 5, 2003


 JUL 9 9 2004

Examiner:  
 Art Unit: 3763

For: Lancet Device and Method

Commissioner For Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS WITH REQUEST TO CORRECT  
EARLIER IDENTIFICATION OF INVENTORSHIP UNDER 37 CFR § 1.48(F)(1)**

Dear Sir:

This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed March 5, 2004. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

No Declaration or Oath and Power of Attorney was filed. Enclosed is the original Declaration or Oath for this Application. Applicants claim small entity status. Applicants petition for a two-month extension of time to respond to the Notice to File Missing Parts. Also enclosed are 14 sheets of replacement drawings (Figs. 1-27).

Enclosed is Check No. 21218 in the amount of \$721 as payment of the following: \$446 filing fees for the Application, \$65 surcharge for late filing of the filing fees and Declaration or Oath; and \$210 fee for Petition for Two Month Extension of Time to respond to the Notice to File Missing Parts.

The filing fee has been calculated as show below.

For:	No. Filed	No. Extra
Basic Fee		
Total Claims	22-20=	2
Indep. Claims	4-3=	1
<input type="checkbox"/> First Presentation of Multiple Dependent Claims		

Small Entity			Other Than A Small Entity	
Rate	Fee	or	Rate	Fee
	\$385	or		\$770
x9=	\$ 18	or	x18=	\$
x43=	\$ 43	or	x86=	\$
x145=	\$0	of	x290=	\$0
Total	\$446	of	Total	\$

**REQUEST TO CORRECT EARLIER IDENTIFICATION OF INVENTORSHIP UNDER  
37 C.F.R. § 1.48(F)(1)**

Applicants are requesting the correction of the earlier identification of inventorship under the provisions of 37 C.F.R. § 1.48(f)(1). Specifically, earlier submission(s) identified four inventors, namely Paul Kudrna, Craig Rappin, Brian Schwartz and Mark Schwartz. Applicants request this be corrected and changed to three (3) inventors, namely Paul Kudrna, Brian Schwartz and Mark Schwartz. The executed Declaration by these inventors is attached. Since this is the first, initial filing and submission of the executed Declaration in a non-provisional application, Applicants are requesting the correction be made automatically pursuant to those provisions of 37 C.F.R. § 1.48(f)(1). A fee is not required to effectuate this change.

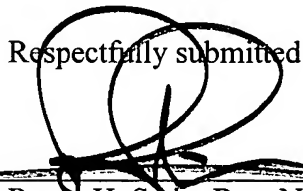
The Commissioner is hereby authorized to charge payment or deficiencies of the following additional fees that may be required by this paper and during the entire pendency of this Application or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

Any additional filing fees under 37 C.F.R. § 1.16(a), (f) or (g) (Filing fees).

Any additional fees under 37 C.F.R. § 1.16(b), (c) or (d) (presentation of extra Claims).

Respectfully submitted,

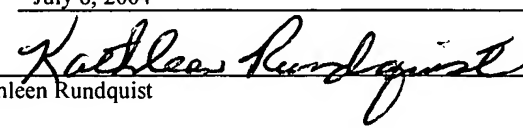
Dated: 6 July 2004

  
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Roger H. Stein, Reg. No. 31,882  
Wallenstein Wagner & Rockey, Ltd.  
311 South Wacker Drive, 53<sup>rd</sup> Floor  
Chicago, Illinois 60606-6630  
312.554.3300

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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service, with first class postage prepaid, in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004

  
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Kathleen Rundquist